



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • www.montgomerycountymd.gov/council

The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.

*This meeting will be televised live on Channel 6;
repeated on 7/14/06 at 8 pm and 7/15/06 at 9 am*

Tuesday, July 11, 2006

9:30 **MFP Committee - PROPOSED CLOSED SESSION** to consult with staff, consultants, or other individuals about pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a)(8). Topic is *Verizon Maryland, Inc vs Montgomery County*. (6th Floor Council Conference Room) (Healy)

10:30 **INVOCATION** - Reverend Donald Kelly, The People's Community Baptist Church, Silver Spring

10:35 **GENERAL BUSINESS**

- (1) A. **Announcement** - Agenda and Calendar Changes (Lauer)
- B. **Acknowledgement** - Receipt of Petitions (Lacefield)
- C. **Action** - Approval of Minutes: May 15 and 25, 2006 (Lauer)

(2) 10:40 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to approve County's Highway Noise Policy (Orlin)
T&E Committee worksession tentatively scheduled for 7/13/06.
- B. **Introduction** - Resolution to approve Village of Drummond Regulations governing Building Permits (Faden)
Action is tentatively scheduled for 7/18/06.
- C. **Introduction** - Resolution to authorize Certificates of Participation (COPs) - \$30,750,000 for Fire Apparatus Replacement Financing (Sherer)
Action is tentatively scheduled for 7/18/06.
- D. **Action** - Resolution to amend the County's Energy Policy regarding clean and renewable energy and energy efficiency (Sherer)
MFP Committee recommends approval.

(2) 10:40 **CONSENT CALENDAR** *(continued)*

- E. **Action** - Executive Regulation 2-06AM, Clean Energy Rewards Program (Levchenko)
T&E Committee recommends approval as amended.
- F. **Action** - Abandonment of a portion of King Street in Silver Spring (Orlin)
- G. **Action** - Executive Regulation 25-05, Disruptive Behavior - Recreation Programs (Sherer)
PHED Committee recommends approval.
- H. **Action** - Resolution to approve the Mutual Aid Agreement between Montgomery County Fire and Rescue Service and National Institutes of Health (NIH) (Boucher)
- I. **Action** - Confirmation of County Executive appointment to the Dickerson Area Facilities Implementation Group: Matthew C. McMillen (Ferber)
- J. **Action** - Confirmation of County Executive appointments to the Domestic Violence Coordinating Council: Chief Deirdre I. Walker, Judith Vaughan-Prather, Dudley Warner, Jr., Sharon Trexler, Dorothy Fait, Matthew J. Felix, Diane Hayes, Susan C. Mize, Donna Rismiller (Ferber)
- K. **Action** - Confirmation of County Executive appointments to the Strathmore Hall Foundation Board of Directors: Jerome W. Breslow, Dianne Kay (Ferber)

10:45 **LEGISLATIVE SESSION Day # 25**

- A. Approval of Legislative Journal: June 20, 2006 (Lauer)
- B. Introduction of Bills
- C. Call of Bills for Final Reading
- (3) • **Bill 12-06**, Transmission Facility Coordination (Healy)
MFP Committee recommends approval.
- (4) • **Bill 15-06**, Offenses - Loitering (Healy)
PS Committee recommends approval with amendments.
- (5) 10:55 **WORKSESSION** - Proposed Charter Amendments and recommendations of Charter Review Commission (Faden/Healy)
Action is tentatively scheduled for 7/25/06.

11:30 **DISTRICT COUNCIL SESSION**

- (6) A. **Action** - Zoning Text Amendment 06-08, Accessory Buildings - One-Family Residential Zones (Wilson)
PHED Committee recommends approval with amendments.
- (7) B. **Action** - Zoning Text Amendment 06-10, Subordinate Structure - Revisions (Wilson)
PHED Committee recommends approval with amendments.

11:30 DISTRICT COUNCIL SESSION *(continued)*

- (8) C. **Action** - Zoning Text Amendment 06-12, Moderately Priced Dwelling Units (MPDUs) - Corner Lots (Zyontz)
PHED Committee recommends approval.
- (9) D. **Action** - Zoning Text Amendment 06-07, Farm Building Supplies and Construction - C-1 Zone (Healy)
PHED Committee recommends approval with amendments.

12:15 RECESS

- (11) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 06-17, Accessibility Improvement - Exemption (Zyontz)
PHED Committee worksession tentatively scheduled for 7/17/06.
- (12) 1:30 **PUBLIC HEARING - Expedited Bill 27-06**, Taxicabs - Amendments (Faden)
T&E Committee worksession tentatively scheduled for 7/13/06.
- (13) 1:30 **PUBLIC HEARING - Bill 29-06**, Housing Advisory Commission - Establishment (White)
PHED Committee worksession will be scheduled at a later date.
- (14) 1:30 **PUBLIC HEARING - Bill 28-06**, Procurement - Health Insurance Preference (Faden)
MFP Committee worksession will be scheduled at a later date.
- (15) 1:30 **PUBLIC HEARING - Expedited Bill 33-06**, Property Tax - Tax Credit - Nonprofit Swim Clubs (Faden)
MFP Committee worksession is tentatively scheduled for 7/17/06.
- (16) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the County Government's FY07 Operating Budget, Montgomery County Fire and Rescue Service - \$2,590,000 for Apparatus Management Plan (Source: Consolidated Fire Tax District Fund) (Davidson)

2:45 DISTRICT COUNCIL SESSION *(continued)*

- (17) F. **Action** - Zoning Text Amendment 05-16, Workforce Housing - Metro Station Policy Area (Wilson/Healy)

3:00 LEGISLATIVE SESSION Day # 25 *(continued)*

- (18) C. Call of Bills for Final Reading
• **Bill 30-05**, Housing - Workforce Housing Program (Faden/McMillan)

5:00 ADJOURN

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on July 18, 2006:

Advisory Board for the Montgomery Cares Program: Blanca Gomez, James T. Marrinan, Charles H. Short, Cesar Palacios, Safia Qadri, Pernell Crockett, Gary A. Colangelo, DDS, Brent Ewig, Hugh F. Hill, M.D., Peter W. Monge, Richard C. Bohrer, Okianer Christian Dark, Arthur F. Woodward, Jr., M.D., Ulder Tillman, M.D., Daryl Plevy

Committee on Hate/Violence: Vincent M. Lewis, Robert Cephas, Tanzila Sheikh

Commission for Women: Holly Fechner, Leila Afas, Fauzia S. Rashid, Judy A. Goldberg, Tedi S. Osias

Community Action Board: Craig Holston

Mental Health Advisory Committee: Julia Scheerer, Sabrina L. Schram, Richard D. Sharp, Celia Young, Mary Carter-Williams, Heidi K. Smith, Denise Fay-Guthrie, Randall R. Myers, Elizabeth Arnold

Silver Spring Transportation Management District Advisory Committee: James S. Polk, Edward M. Furgol, Andrew Wexler, Charles A. Segerman, Robin Goudy, Michael Hunston, Geoffrey Krieg, Suvita Melehy

Water Quality Advisory Group: Jill Coutts, David C. Plummer, Michael R. Smith, Scott E. Kauff

FUTURE COUNCIL MEETINGS

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.

Jul 18, 2006	9:30 am	Regular Session
Jul 25, 2006	9:30 am	Regular Session
Aug 1, 2006	9:30 am	State Legislation
Aug 1, 2006	10:30 am	Regular Session

FUTURE PUBLIC HEARINGS
To testify call 240-777-7931

July 18, 2006

- 1:30 pm Zoning Text Amendments (ZTAs)
- 06-18, Planned Retirement Community (PRC) Zone - Development Standards
 - 06-19, Florist - Office-Moderate Density (O-M) Zone
 - 06-20, Mixed-Use-Town Center/TDR (MXTC/TDR) Zone - Establishment
- 1:30 pm Resolution to approve Franchise Agreement for Use of Public Right-of-Way: AboveNet Communications, Inc
- 1:30 pm Resolution to approve License Agreement for Use of Public Right-of-Way: United RST LLC
- 1:30 pm **Bill 30-06**, Personnel - Retirement - Investments
- 1:30 pm **Expedited Bill 31-06**, Maryland Emergency Management Assistance Compact - Adoption
- 1:30 pm Special appropriations to the MNCPPC's FY07 Capital Budget and amendments to the FY07-12 CIP:
- \$4,145,000 for Acquisition: Local Parks
 - \$640,000 for Greenbriar Local Park
 - \$750,000 for Ballfield Initiatives
 - \$1,000,000 for PLAR: Non-Local Parks
 - \$2,398,000 for Black Hill Trail Renovation and Extension
- 1:30 pm Amendments to the MNCPPC's FY07-12 CIP:
- Elmhirst Parkway Neighborhood Park
 - Takoma-Piney Branch Local Park
- 1:30 pm Special appropriation to the MNCPPC's FY07 Capital Budget -\$4,000,000 for Acquisition: Non-Local Parks
- 1:30 pm Amendment to the MNCPPC's FY07-12 CIP - Acquisition: Non-Local Parks
- 7:30 pm Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes

July 25, 2006

- 1:30 pm Damascus Sectional Map Amendment (G-854)

August 1, 2006

August 1, 2006

- 1:30 pm Zoning Text Amendments 06-21, Building Coverage - RE-1 Cluster



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ADDENDUM

Tuesday, July 11, 2006

(2) 10:40 CONSENT CALENDAR

- Add:** L. **Introduction** - Special appropriation to the County Government's FY07 Operating Budget, Department of Health and Human Services - \$293,580 for Adult Dental Services (Source: General Fund Reserves) (Planell)
Public Hearing/Action is scheduled for 7/25/06 at 1:30 pm.
- Add:** M. **Action** - Resolution to approve the abandonment of a portion of unimproved Legion Drive, Montco Addition, Damascus (Orlin)
- Add:** N. **Action** - Resolution to approve the abandonment of a portion of unimproved Hendry Estates Subdivision, Bethesda (Orlin)



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ADDENDUM #2

Tuesday, July 11, 2006

(2) 10:40 CONSENT CALENDAR

- Add:** O. **Introduction** - Special appropriation to the County Government's FY07 Capital Budget - \$1,800,000 for Legacy Open Space (Source: Program Open Space Acquisition Funds) (Michaelson)
Public Hearing is scheduled for 8/1/06 at 1:30 pm.
- Add:** P. **Introduction** - Amendment to Maryland-National Capital Park and Planning Commission's FY07-12 Capital Improvements Program - Legacy Open Space (Michaelson)
Public Hearing is scheduled for 8/1/06 at 1:30 pm.